

ATTACHMENT 1

U.S. DISTRICT COURT
EASTERN DISTRICT - WI
FILED

2016 NOV 29 P 3:04

JOHN W. SANFILIPPO
CLERK

COMPLAINT FORM

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

JEFFREY DELANE Reward

v.

(Full name of defendant(s))

Nancy Bourens, Danielle Foster

Theresa Murphy, MR. J. Zanon

Judy P. Smith, Dr. P. Murphy
Captl Tess, Ms. S. Baeker

Jane & John Doe

Case Number:

16-C-1589

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of United States and is located at
(State)

Oshkosh corr Inst PD Box 3310 Oshkosh, WI 54903
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Nancy Bowens

(Name)

is (if a person or private corporation) a citizen of United States

(State, if known)

and (if a person) resides at Unknown

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for OshKosh Correctional Institution

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

(1) DEFENDANTS Nancy Bowens, Dr. P. Murphy, Terry P. Smith, Mr. J. Zanow, Theodore Murphy, Ms. J. Barker, Danielle Foster, Capt. Teas (2) EACH DEFENDANT REFUSED TO PROVIDE MEDICAL TREATMENT AND OR HELP PLAINTIFF
PLEASE SEE ADDITIONAL PAGES (3) FROM JUNE-13-2014
until 9/2016 PLEASE SEE ADDITIONAL PAGES FOR DATES
11-THRU 28 (4) AT OSHKOSH (CORRECTIONAL) INSTITUTION
(5) I HONESTLY DO NOT KNOW WHY THEY DID IT
OR WHY THEY ARE CONTINUING TO DO IT.

UNITED STATES DISTRICT
COURT EASTERN DISTRICT OF WISCONSIN

JEFFREY D. BENSON
PLAINTIFF

VS.

NANCY BOWENS: DR.P.MURPHY
DANIELLE FOSTER:J.BARKER
CAPT:TESS:THERESA MURPHY
MR:ZANON:JUDY P.SMITH
JOHN & JANE DOE: DEFENDANTS

U.S. DISTRICT
EASTERN DISTRICT WI
16-cv-1589
FILED

2016 NOV 29 P 3:05
JON W. SANFILIPPO
CLERK

COMPLAINT UNDER THE CIVIL RIGHTS ACT 42 u.s.c. 1983
AND COMPLAINT UNDER CONSPIRACY STATUTE 42 u.s.c. 1985

PRELIMINARY STATEMENT:

THIS IS A CIVIL RIGHTS ACTION FILED BY (JEFFREY D.BENSON) TO WIT, A WISCONSIN STATE PRISONER, SEEKING RELIEF UNDER 42 u.s.c. 1983 FOR CIVIL RIGHTS VIOLATIONS COMMITTED BY BOTH MEDICAL AND COOPERATE PERSONS WHO PERSONALLY HARMED THIS PLAINTIFF DIRECTLY AND LATER CONSPIRED TO COVER IT UP BY DENYING CORRECTIVE MEDICAL TREATMENT: IN VIOLATION OF 42 u.s.c. 1985 FEDERAL STATUTES ON CONSPIRACY, (IN A NUT SHELL) THIS COMPLAINT ALLEGES A DENIAL BY THE DEFENDANTS OF (PROPER) MEDICAL TREATMENT: A DELAY IN PROVIDING (SAID) MEDICAL TREATMENT, MEDICAL NEGLECT, CONSPIRACY AND MEDICAL NEGLIGENCE, THE COMPLAINT SEEKS (PUNITIVE AND COMPENSATORY DAMAGES).

(1)

JURISDICTION:

1. THIS ACTION IS BROUGHT PURSUANT TO 42 u.s.c. 1983 AND 42 u.s.c. 1985 AND THE EIGHTH AND FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION JURISDICTION IS FOUNDED UPON THESE STATUTORY AND CONSTITUTIONAL PROVISIONS AND 28 u.s.c. 1331(FEDERAL QUESTION): 1343 (CIVIL RIGHTS) AND 1332(DIVERSITY) PLAINTIFF HAS FULLY (EXHAUSTED) ALL AVAILABLE ADMINISTRATIVE REMEDIES THAT HE IS REQUIRED TO DO PRIOR TO BRING THIS ACTION AND MORE, PLAINTIFF JEFFREY D.BENSON UTILIZED THE INMATE COMPLAINT REVIEW SYSTEM(ICRS) AVAILABLE AT (OSCI) TO ATTEMPT TO SOLVE HIS MEDICALLY RELATED PROBLEMS. ON (3-6-2015) PLAINTIFF JEFFREY D. BENSON PRESENTED THE FACTS RELATING TO THIS COMPLAINT. ON (3-9-2015 AND ON 4-9-2015) THE RESPONSE, PLAINTIFF WAS SENT A RESPONSE SAYING THAT HIS COMPLAINT WAS (DENIED) ON (4-20-2015) THE APPEAL WAS DENIED BY(CCE) AS WELL AS ON (5-15-2015) ON (5-26-2015) THE (OOS) DENIED THE PLAINTIFF COMPLAINT..

PARTIES:

2. THE PLAINTIFF JEFFREY D.BENSON IS INCARCERATED AT THE OSHKOSH CORRECTIONAL INST: DURING THE EVENTS DESCRIBED IN THIS COMPLAINT, AND HE HAS BEEN THUS INCARCERATED UNTIL THE ACTUAL CASE WAS FILED IN THIS FEDERAL COURT, THE MAILING ADDRESS OF THE OSHKOSH, CORR, INST IS POST OFFICE BOX 3530, OSHKOSH WISCONSIN, 54903-3530, PLAINTIFF WAS AND IS UNDER THE MEDICAL CARE OF ALL THE MEDICAL STAFF AND DEFENDANTS NAMED IN THIS COMPLAINT.

3. THE DEFENDANT (NANCY BOWENS) WAS AND IS ONE OF THE NURSE PRACTITIONERS

WORKING AT THE OSHKOSH CORR INST (HSU) SHE WAS AND IS PART OF THE MEDICAL STAFF THAT IS WORKING UNDER CONTRACT WITH (OSCI) TO PROVIDE MEDICAL CARE TO WISCONSIN PRISONERS WHO WERE AND ARE INCARCERATED AT THE FACILITY, SHE IS RESPONSIBLE FOR DOING FOLLOW UP MEDICAL CARE ON PRISONERS IN HER CARE, SHE WRITES PROGRESS NOTES AND MAKE RECOMMENDATIONS IN ASSISTANCE TO THE MEDICAL DOCTOR, AS SUCH, SHE IS RESPONSIBLE FOR THE MEDICAL CARE OF PRISONERS INCARCERATED AT (OSCI) FACILITY, SHE IS SUED IN BOTH HER OFFICIAL AND PERSONAL CAPACITIES.

4. THE DEFENDANT (DANEILLE FOSTER) IS THE HEALTH SERVICE SUPERVISOR AT OSHKOSH CORR INST, SHE IS THE SUPERVISING (AUTHORITY) OVER ALL OF (OSCI) NURSES, AS WELL AS BOTH THE DOCTORS AND THE NURSE PRACTITIONERS, AS SUCH, SHE DEVELOPES ALL POLICIES GOVERNING THE OPERATION OF THE HEALTH SERVICE UNIT: SHE HIRES EVERY NURSE WORKING AT (OSCI) OR HAVE WORD IN ON HIRING THEM, SHE OVERSEE THE PROPER TRAINING OF EACH NURSE OR HAVE HER TOP NURSE DO IT, AND SHE IS RESPONSIBLE FOR INMATES PROPER HEALTH CARE.. ALL INMATE'S COMPLAINTS CONCERNING THEIR HEALTH CARE GOES TO THIS DEFENDANT AND HER ASSISTANT HEALTH CARE UNIT MANAGER, FAILURES OF ANY NURSE TO PROPERLY ATTEND TO ANY INMATES IS THE RESPONSIBILITY OF (MS. DANIELLE FOSTER) SHE IS SUED IN BOTH HER OFFICIAL AND HER PERSONAL CAPACITIES.

5. THE DEFENDANT (DOCTOR P. MURPHY MD) IS ONE OF THE HEALTH SERVICE DOCTORS AT OSHKOSH CORR INST, AND AS SUCH, MEDICALLY HE IS ONE OF THE SUPERVISING (AUTHORITIES) OVER ALL MEDICAL STAFF WORKING IN (OSCI) (HSU) FOR HE OVERSEES MEDICAL ISSUES RELATED TO WISCONSIN PRISONERS WITHIN (OSCI) AND HE HAS A PROFESSIONAL RESPONSIBILITY OF MAKING SURE THAT INMATES ARE RECEIVING THE PROPER MEDICAL CARE, HE IS SUED IN BOTH HIS OFFICIAL AND PERSONAL CAPACITIES.

6. THE DEFENDANT (MS. *Baker*) WAS THE ASSISTANT AT HEALTH CARE UNIT AT OSHKOSH CORR INST AT THE TIME, HER JOB SEEM TO BE TO FOLLOW THE ORDER THAT WAS HANDED DOWN FROM THE HEALTH SERVICE SUPERVISOR, FAILURE TO PROPERLY ATTEND TO ANY INMATES BECOMES A PROBLEM FOR IT IS HER JOB AND RESPONSIBILITY TO PROPERLY CARE FOR ANY AND *All* INMATES WHEN SEND TO HER, (MS. BAKER) SHE IS SUED IN BOTH HER OFFICIAL AND HER PERSONAL CAPACITIES.

7. THE DEFENDANT (CAPT: TESS) WAS A CAPT AT THE TIME AND THE LAST PERSON TO APPROVE A (SPECIAL NEED) FOR HE SET ON THE SPECIAL NEED COMMITTEE AT OSHKOSH CORR INST AT THAT TIME, PART OF HIS DUTIES WAS TO ENSURE THE SAFETY OF ALL PRISONERS AND PROTECT THEM FROM HARM, HE HAS A REAL OBLIGATION TO PROTECT INMATES AND MAKE SURE INVESTIGATIONS INTO HARMED DONE TO INMATES BE LOOKED INTO BY STAFF OR OTHER INMATES, FOR HE WAS BOUND BY (WIS. ADM. CODE DOC 306.03 AND 306.04) IN PROTECTING PERSONERS FROM ANY (FORSEEABLE HARM) HE IS SUED IN BOTH HIS OFFICIAL AND PERSONAL CAPACITIES.

8. THE DEFENDANT (MS. THERESA MURPHY) IS A INMATE COMPLAINT INVESTIGATOR AT (OSCI) AS SUCH SHE IS RESPONSIBLE FOR REVIEWING COMPLAINTS SEND IN BY THE INMATES, UNDER THE WI. ADM. CODE (DOC 310): PROPERLY FILING EACH AND EVERY COMPLAINT WITHOUT DELAY AND PROVIDING RECOMMENDATIONS TO THE REVIEWING AUTHORITIES, BASED ON (TRUE) INFORMATION AND NOT PERSONAL FEELINGS, THE (CCE) AND THE (WARDEN) TO RESOLVE EACH COMPLAINT FILED BY PRISONERS INCARCERATED WITHIN THE OSHKOSH CORR INST, SHE IS SUED IN BOTH HER OFFICIAL AND PERSONAL CAPACITIES.

9. THE DEFENDANT (MS.JUDY P.SMITH) IS THE WARDEN OF THE OSHKOSH CORR INST, AS SUCH SHE IS THE SUPERVISING AUTHORITY OVER THE (ENTIRE)HEALTH SERVICE UNIT AND ALL STAFF, SHE IS THE SUPERVISING AUTHORITY OVER(ALL)THE STAFF WORKING IN THE INMATE COMPLAINTS DEPARTMENT, AND SHE HAS THE AUTHORITY TO (FORCE) ANY AND ALL STAFF MEMBERS EMPLOYED IN THE HEALTH SERVICE DEPARTMENT TO PROVIDE PROPER MEDICAL TREATMENT TO INMATES, AND SHE ALSO HAS THE AUTHORITY AND THE RESPONSIBILITY TO SEE TO IT THAT ALL INMATES COMPLAINTS BE PROPERLY ADDRESSED BY THE COMPLAINT INVESTIGATORS, SHE IS ALSO BOUND BY THE (WIS.ADM. CODE RULE DOC 306.03 & 306.04) TO PROTECT INMATES FROM HARM IN HER CARE, SHE IS SUED IN BOTH HER OFFICIAL AND PERSONAL CAPACITIES.

PARTIES LAST KNOWN ADDRESS

10. THE DEFENDANT (MS.JBARKER) HAS SINCE CHANGED JOBS FROM MY UNDERSTANDING HOWEVER THE DEPARTMENT OF CORRECTION WILL KNOW HOW TO FIND HER, AND THE DEFENDANT (CAPT:TESS) HAS JUST RETIRED, (DOC) WILL KNOW HOW TO FIND HIM AS WELL, THE DEFENDANTS (NANCY BOWENS:DR.P.MURPHY:DANIELLE FOSTER:TERESA MURPHY:MR.J.ZANON AND JUDY P.SMITH) ALL LAST KNOWN ADDRESS TO THESE INDIVIUALS ARE THE FOLLOWING POST OFFICE BOX 3530, OSHKOSH, WI, 54903, OSHKOSH CORR INST.

STATEMENT OF THE CLAIMS

MY DISEASE IS (DIABETES) WITH THIS DISEASE COMES MEDICATIONS AND OTHER ISSUES WITH THE EYES AS WELL AS THE FEET & SO ON, SENCE I HAVE BEEN DIAGNOSIS WITH THIS DISEASE MY FEET HAVE BEEN THE (TOP) ISSUE YET MY DOCTORS & MYSELF HAVE BEEN WORKING TOGETHER TO TRY TO KEEP THE PROBLEM IN CONTROL: UNDRE ESTELLE VS.GAMBLE THE OSHKOSH CORR INST HAS (FILED) TO MEET THE STANDARDS OF MEDICAL CARE THAT WOULD PREVENT MY FEET AND THEIR CONDITIONS FROM WORSEING, ACCORDING TO THE STANDARDS COURTS HAS (HELD) NECESSARY TO MEET IN (ESTELLE VS. GAMBLE).

PLAINTIFF REALLEGES AND INCORPORATE BY REFERENCE PARAGRAPHS (11-80) THE DELIBERATE INDIFFERENCE TO PLAINTIFFS MEDICAL NEEDS VIOLATED PLAINTIFF JEFFREY D.BENSON RIGHTS AND CONSTITUTED CRUEL AND UNUSUAL PUNISHMENT, A DUE PROCESS VIOLATION UNDER THE EIGHTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION. THE MEDICAL MALPRACTICE, MEDICAL NEGLIGENCE AND DELAYING IN PROVIDING MEDICAL TREATMENT AND CONSPIRACY CLAIMS FALL UNDER THE EIGHTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION AS WELL.

AS SUCH THE PLAINTIFF HAS NO PLAIN/ADEQUATE OR COMPLETE REMEDY AT LAW TO REDRESS THE WRONGS DESCRIBED HEREIN PLAINTIFF HAS BEEN AND WILL CONTINUE TO BE IRREPARABLY INJURED BY THE CONDUCT OF THE DEFENDANTS UNLESS THIS COURT GRANTS THE (DECLARATORY) AND INJUNCTIVE RELIEF WHICH PLAINTIFF SEEKS.

11. ON JUNE-13-2014 plaintiff (JEFFREY D.BENSON)WENT TO A SCHEDULED APPOINTMENT AT THE UNIVERSITY OF WISCONSIN HOSPITAL AND CLINICS BY ESCORT OF THE OSHKOSH CORR INST OFFICERSFOR A MEDICAL 'PROCEDURE, (EVALUATION OF MY FEET):

12. NANCY BOWENS(APNP)REFERRED ME,SHE WANTED TO KNOW THE CONDITIONS OF INMATE BENSONS FEET.

13. I WAS SEEN BY (JILL M.MIGON,DPM)CLINICAL ASSISTANT PROFESSOR DEPARTMENT OF SURGERY, HER ASSESSMENT:(1)DIABETES MELLITUS WITH NEUROPATHY.(2)PES PLANUS WITH FOOT PAIN. HER PLAN:SHE RECOMMEND A PAIR OF EXTRA-DEPTH DIABETIC TYPE OF SHOES:SUCH AS A NEW BALANCE EXTRA-DEPTH SHOE, WITH ~~THIS~~ SHE ALSO RECOMMENDED A CUSTOMIZED ORTHOTIC TO HELP SUPPORT HIS ARCH,(HER COMMENT)"AND THIS WILL LIKELY DECREASE HIS FOOT PAIN WITHIN THE ARCH AND INSTEP AREA-E.G.

14. THE MEDICAL INSTRUCTIONS WERE SPECIFIC,AND DIRECTED THE PRISON MEDICAL STAFF AT (OSCI)TO FOLLOW THE RECOMMENDATIONS,IN FULL NOT IN PART.

15. ON 6-28-2014 THE PLAINTIFF PUT IN A MEDICAL SLIP,FOR HE HAD BEEN AT (OSCI)FOR (3)WEEKS AND HAD NOT SEEN A DOCTOR NOR A (NP),NOT EVEN FOR A FOLLOW-UP FROM THE HOSPITAL,AND THAT I WAS RECEIVING GREAT PAIN.

16. ON 7-8-2014 PLAINTIFF PUT IN YET ANOTHER MEDICAL SLIP FOR I HAD NOT BEEN SEEN BY (NP) NOR A(DOCTOR),ON 7-9-2014 A RESPONSE CAME

Continue from page 3

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FROM A (OSCI) HSU NURSE, STATING"DATE OF APPOINTMENTS ARE NOT AVAILABLE".

17. ON 7-20-2014 (OSCI)HSU STAMPED THE ORDER THAT WAS SEND FROM U.W. HEALTH IN MADISON, "RECEIVED 7-20-2014".

18. ON 7-21-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP INFORMING THE STAFF THAT HE HAD BEEN IN THE INSTITUTION FOR (40)DAYS AND STILL HAD NOT SEEN A NP OR DOCTOR, AND SEEING A NURSE WAS NO GOOD FOR HE WOULD ONLY BE CHARGED ANOTHER \$7.50 CO-PAY FOR THE SAME THING AND AGAIN NOTHING WOULD CHANGE: ON 7-22-2014 THE RESPONSE WAS, "YOU ARE SCHEDULED REGUARDING FOOT PAIN.

19. I WAS SEEN BY THE (NP)NANCY BOWENS ON 8-11-2014 WEEKS LATER, I INFORMED HER THAT THE MEDICATION WAS NOT WORKING, SHE UPPED IT, I ASKED HER ABOUT THE SHOES AND ORTHOTICS, AND ABOUT THE PAIN THAT I WAS RECEIVING, (NOTHING DID AT THAT TIME.)

20. ON 8-20-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP ABOUT THE PAIN , IN THE SLIP THE PLAINTIFF INFORMED THEM THAT IT HAD BEEN (2 AND A HALF MONTHS)FROM 6-13-2014 until 8-20-2014, THE RESPONSE WAS "CURRENTLY AWAITING NOTIFICATION FROM A/JAN REGARDING ORTHOTICS UPCOMING APPOINTMENT SCHEDULED WITH A/JAN".

21. ON 10-3-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP INFORMING THEM THAT HE FEELS THAT THE HSU AT OSCI IS HORRIBLE, FOR THE PLAINTIFF WENT TO MADISON UW-HEALTH ON 6-13-2014 AND NOW IT IS 10-3-2014 SOME THING LIKE (4 AND A HALF MONTHS)HAD PAST AND NOTHING HAS BEEN DONE, THE PLAINTIFF ALSO STATED IN THE REQUEST THAT "HE WAS FINDING IT DIFFICULT TO WALK", THE RESPONSE WAS, "YOU HAVE HAD APPOINTMENTS WITH NP BOWENS ON SEPT-9-2014 AND SEPT-23-2014 THE APPOINTMENTS WAS SCHEDULED FOR YOUR DIABETES".

22. ON 11-2-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP STATING THAT HE "UNDERSTAND" THAT THEY ARE BUSY WITH (2,000)PLUS INMATES AND STATED THAT THAT MAYBE THE PROBLEM, BECAUSE ABSOLUTELY NOTHING HAS BEEN DONE ABOUT THIS PAIN IN HIS (BACK & FEET)AND ASKED IF HE CAN BE MOVED TO ANOTHER (INSTITUTION)THAT CAN AND WILL HELP WITH THE PAIN. "NO RESPONSE CAME" WITH THE PINK SLIP THAT WAS RETURNED ON 11-3-2014.

23. ON 12-3-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP, THIS TIME TO (DR.P.MURPHY: THE RESPONSE STATED ,ON 10-13-2014"THE RECOMMENDATION FROM THE ALJAN ORTHOTICS WERE REVIEWED BY YOUR PROVIDER AND A APPOINTMENT SCHEDULED WITH ORTHOTICS TO ADDRESS THE SHOES" 12-4-2014.

24. ON 12-16-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (DR.MURPHY) INFORMING HIM OF THE GREAT PAIN, WAS RECEIVING AND ASKED FOR (HELP) FOR THE MEDICATIONS WAS NOT WORKING, ON 12-17-2014 THE RESPONSE CAME, "APPOINTMENT WILL BE SCHEDULED TO ADDRESS THOSE ISSUES, (1)PAIN: (2) MEDICATION NOT EFFECTIVE..

25. ON 12-22-2014 THE PLAINTIFF WAS SEND-OUT TO MADISON UW-HEALTH, ESCORTED BY OFFICERS FROM(OSCI)FROM UW-HEALTH TO THE ALJAN CO, 2008 FISH HATCHERY RD MADISON,WI, TO SEE ONE (DR.ALLEN BURKE)HE MADE A MOLD OF BOTH FEET FOR SOME ORTHOTICS, ON12-22-2014 (OSCI)HSU RECEIVED THE ORDER, ON 12-22-2014 ONE (K.VAN-HORN NCII)OF OSCI HSU CALLED ME TO HSU SPOKE WITH ME AND AND SHOWED ME THAT SHE WAS SENDING ONE (CAPT:TESS)A MEMO IT STATED

"CAPTAIN TESS, HAS BEEN NOTIFIED THAT YOU NEED LARGER STATE ISSUED SHOES TO ACCOMMODATE YOUR ORTHOTICS INSERTS": PLEASE ACKNOWLEDGE THE FACT THAT (I CAN NOT WEAR STATE ISSUED SHOES)PER JILL M.MIGON,DPM.

26. THIS IS A PRESCRIBER'S ORDERS- PLEASE ACKNOWLEDGE THE WORDING AND DATES 12-22-2014, 1-12-2015, 1-13-2015, 1-14-2015, 2-6-2015 and 3-4-2015, PLEASE KNOW THAT NOTHING HAD BEEN DONE TO HELP ME.

27. ON 12-26-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP, INFORMING (DR.P.MURPHY)ABOUT WHAT HAPPENED IN MADISON AT THE ALJAN,THE RESPONSE CAME ON 12-27-2014, THE RECOMMENDATION FROM ALJAN ORTHOTICS-NEED LARGER SHOES ARE BEING REVIEWED BY YOUR PROVIDER AND CAPT:TESS ALSO NOTIFIED.

28. ON 12-29-2014 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO ONE (K.VAN-HORN)OF HSU,FOR I HAD SPOKEN WITH HER ON 12-22-2014 ABOUT MY ISSUES,I INFORMED HER THAT FOR THE PAST (10)YEARS I COULD NOT WEAR ANY STATE ISSUED SHOES BECAUSE OF THE PROBLEMS THEY CAUSED MY FEET AS WELL AS DIABETES, THE RESPONSE CAME ON "12-31-2014, forward to REVIEW-UPCOMING APPOINTMENTSCHEDULED WITH YOUR PROVIDER:SO YOU CAN ADDRESS IT THEN".

29. ON 1-12-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP, THIS TIME TO THE OSCI HSU MANAGER (MS.BAKER)I EXPLAINED THAT I HAD BEEN TO MADISON UW-HEALTH & MADISON ALJAN CO.(3xs-THE VERY FIRST TIME THE RECOMMENDATION WAS FOR SHOES(NEW BALANCE)EXTRA-DEPTH SHOES,I INFORMED HER OF THE DISCOMFORT AND THE PAIN,AND STATED PLEASE HELP, ON 1-13-2015 THE RESPONSE "YOU CAN DISCUSS THE ABOVE ISSUES SPECIAL NEEDS & SHOES AT THE UPCOMING APPOINTMENT WITH NP BOWENS-"FLAG HSU FOR REVIEW.

30. ON 1-14-2015 THE PLAINTIFF RECEIVED A MEMO IT STATED,"YOUR HEALTH CARE PROVIDER HAS REQUESTED THAT THE FOLLOWING MEMO BE SENT TO YOU "EXTRA-DEPTH SHOES SHOULD COME FROM PROPERTY". N.BOWENS,APNP/JAS.

31. THE PLAINTIFF WAS SEND BACK TO THE (ALJAN CO)TO SEE,2/2015,THE PLAINTIFF RECEIVED THE ORTHOTICS AND A COPY PICTURE OF THE SHOES WAS SEND TO LET THE INSTITUTION KNOW WHAT TO GET. ON 2-6-2015 REF-PAGE.

32. ON 3-3-2015 THE PLAINTIFF WAS DETERMINED BY SPECIAL NEEDS THAT I DO NOT MEET THE CRITERIA FOR ALTERNATIVE STATE FOOT WEAR,AT THE END OF THIS MEMO IT STATES,PLEASE WRITE TO (CAPT:TESS)IF YOU WANT TO REQUEST SPECIAL SIZE SHOES..THIS DO NOT MAKE SINCE FOR CAPT"TESS IS PART OF THE SPECIAL NEEDS.

33. ON 2-27-2015 THE PLAINTIFF WAS (ORDERED)BY CAPT:TESS TO WEAR STATE ISSUED BOOTS,EVEN AFER BEING INFORMED BY INMATE THAT THE BOOTS WILL CAUSE HIM GREAT PAIN, THE TIME SPEND IN THE BOOTS (5DAYS)A COMPLAINT WAS FILED AND IT WAS (REJECTED)BY COMPLAINT EXAMINER THERESA MURPHY COMPLAINT #2015-4356.

34. ON 3-5-2015 THE PLAINTIFF SPOKE WITH CAPT:TESS ON (P-UNIT) ABOUT HIS SPECIAL NEEDS REQUEST THAT HAD BEEN SEND TO HIM BY HSU STAFF K.VAN-HORN,N.BOWENS,MADISON ALJAN CO ALAN BURKE,MADISON PODIATRY AT UW-HEALTH JILL M.MIGON DPM, CAPT:TESS STATED"THAT NO ONE TELLS HIM WHAT KIND OF SHOES TO GIVE PLAINTIFF", NOW THATS MAKING A MEDICAL DECISION.

35. ON 3-8-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP INFORMING (NP. BOWENS) ABOUT NO-FEELING IN THE FEET AND THE PAIN IN HIS BACK, AND NOTHING BEING DONE ABOUT IT, BEGGINING FOR HELP. THE RESPONSE CAME ON 3-9-2015, "YOU ARE SCHED TO SEE THE (NP) AND CAN DISCUSS THE NUMBNESS IN YOUR FEET WITH HER".

36. ON 3-9-2015 THE PLAINTIFF RECEIVED ACKNOWLEDGEMENT OF THE (ICE) RECEIPT-COMPLAINT #2015-4490 FOR BEING DENIED REQUEST OF SPECIAL NEEDS SHOES. "HSM:FOSTER, CAPT:TESS & LON BECHER, ALL AGREED WITH (ICE) DISMISING PLAINTIFF COMPLAINT.

37. ON 3-10-2015 THE PLAINTIFF RECEIVED YET ANOTHER MEMORANDUM FROM SPECIAL NEEDS COMMITTEE, INFORMING HIM THAT HE DO NOT MEET THE CRITERIA FOR ALTERNATIVE FEET WEAR.

38. ON 3-10-2015 THE PLAINTIFF FILLED OUT AND SEND IN A INMATE COMPLAINT APPEAL FORM #2015-4356.

39. ON 3-12-2015 THE PLAINTIFF RECEIVED A RECEIPT, "INMATE COMPLAINT EXAMINERS RECEIPT OF REJECTION APPEAL COMPLAINT #2015-4356 (OSCI).

40. ON 3-15-2015 THE PLAINTIFF RECEIVED NEW MEDICATION(APAP 650mg) TAKE 2 TABS 4 TIMES DAILY-AS NEEDED.

41. ON 3-17-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP INFORMING HSU THAT HIS MEDICATION WAS NOT WORKING AND REQUESTED IT TO BE UPED. THE RESPONSE CAME ON 3-21-2015, 'you have a scheduled appointment with np-address above concerns'.

42. ON 4-4-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (NP. BOWENS) INFORMING HER THAT "I NEED TO GET OUT AND WALK ON THE NICE DAYS, HOWEVER THE FOLLOWING DAY LEAVES ME IN GREAT PAIN". THE RESPONSE CAME ON 4-5-2015 CHECKED, "SCHEDULED TO SEE HSU".

43. MEDICATION WAS CHANGED TO (150mg)AT NOON & BEDTIME, FOR NEUROPATHY (PREGABALIN).

44. THE PLAINTIFF FILED A COMPLAINT APPEAL ON (ICE)OSCI #2015-4490 ON 4-15-2015.

45. ON 4-17-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO NP BOWENS INFORMING HER THAT ENOUGH WAS ENOUGH, BECAUSE I ACKNOWLEDGE THAT I WAS BEING GIVEN A RUN-AROUND. A RESPONSE CAME ON 4-18-2015 "FORWARDED TO NP BOWENS FOR REVIEW".

46. ON 4-20-2015 CCE RECEIPT WAS RECEIVED-COMPLAINT #2015-4490 OSCI.

47. ON 4-24-2015 THE PLAINTIFF RECEIVED ANOTHER MEMO."STATED PER NP BOWENS, PLEASE ADDRESS SHOE FIT ISSUES WITH PROPERTY." W.CARVIOU, NC2

48. THE PLAINTIFF WAS CALLED TO (MOS) AND WAS ISSUED ANOTHER PAIR OF STATE BLACK VELCRO SHOES SIZE 12, "PLEASE ACKNOWLEDGE THAT THIS SHOE IS THE SAME SHOE THAT THE (ALJAN CO)SAID HE SHOULD NOT WEAR, 5-6-2015

49. ON 5-8-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO BOTH(DR. MURPHY & NP BOWENS) AND I ASKED THEM TO PLEASE STOP EXPERIMENTING WITH ME AND

(HELP) ME, ON 5-9-2015 & AGAIN ON 5-20-2015 THE RESPONSE WAS (1)APPOINTMENT TO MEET WITH YOUR PROVIDER ABOVE CONCERN HAVE BEEN FLAGGED(2)YOU ARE TO ADDRESS YOUR SHOE FIT ISSUES WITH CAPT:TESS.

50. ON 5-15-2015 THE CCE REPORT COMPLAINT #2015-4490 OSCI THE CCE ONE ANA BOATWRIGHT RECOMMENDED DISMISSAL.

51. ON 5-26-2015 OOS ONE CINDY O'DONNELL-DECISION WAS DISMISSED THE PLAINTIFF COMPLAINT ON MEDICAL.

52. ON 7-8-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP REMINDING (NP BOWENS) OF THE LAST MEETING THEY HAD, "THE LAST TIME I SAW YOU-YOU INFORMED ME THAT NOW WE KNOW THAT THE STATE ISSUED BLACK VALCRO SHOES DO NOT WORK, YOU WAS GOING TO GET THE SHOES THAT THE (ALJAN) ORDERED", THE RESPONSE CAME ON 7-9-2015(ISSUE ADDRESS).

53. ON 7-12-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP FOR HE HAD LOST FEELING IN HIS FEET, THE RESPONSE CAME ON 7-14-2015- CHECKED:REFER TO SPECIAL NEEDS ~~NURSE~~/COMMITTEE.

54. THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO BOTH (DR.MURPHY & NP BOWENS)ASKING FOR HELP ON MY BACK PROBLEM THAT THEY REFUSE TO TREAT FOR THE PAST(13)MONTHS, THE RESPONSE CAME ON 7-18-2015, "APP IN PLACE WITH YOUR PROVIDER".

55. ON 8-14-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (NP. BOWENS)REMINDING HER OF OUR MEETING AND THAT NOW THAT WE HAVE TRIED THE OTHER STATE SHOES, CAN WE PLEASE GET THE RIGHT SHOES, NOW, FOR THE PAIN IS CRAZY. ON 8-15-2015 THE RESPONSE CAME CHECKED(SCHEDULED TO SEE IN HSU).

56. ON 8-14-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (NP. BOWENS)ONLY INFORMING HER THAT THE MEDICATION WAS NOT HELPING AND THE PAIN WAS NOT GOING AWAY, "ON 8-15-2015 THE RESPONSE CAME" (SCHEDULED).

57. ON 9-9-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (NP.BOWENS) ASKING ABOUT MY APPOINTMENT FOR I WAS IN GREAT PAIN BOTH FEET AND BACK, THE RESPONSE CAME ON 9-10-2015*IF THERE IS AN INCREASE IN PAIN REQUEST TO SEE A NURSE, SO THAT WE CAN WORK ON MANAGING YOUR PAIN".RN.HANSON

58. THE PLAINTIFF RECEIVED NEW MEDICATION (NORTRIPTYLINE)AFTER READING THE PAPERS ON THIS (NORTRIPTYLINE)I CAME TO KNOW THAT IT WAS A (ANTIDEPRESSANT)MEDICATION, IT SPEAKS NOTHING ABOUT MY ISSUES.

59. ON 9-30-2015 THE PLAINTIFF SEND IN ANOTHER MEDICAL SLIP INFORMING (NP.BOWENS) THAT THE MEDICATION SHE GAVE ME HAS ABSOLUTELY NOTHING TO DO WITH MY PAIN, THE RESPONSE CAME ON 10-1-2015 "CHECKED SCHEDULED TO BE SEEN IN HSU.

60. ON 11-16-2015 THE PLAINTIFF RECEIVED BOOTS THAT HSU ~~ASSIST~~ (MS.~~BARKER~~) ORDERED, THE BOOTS WAS ORDERED (TOO-SMALL)FOR THE ORTHOTICS, YET (MS.~~BARKER~~) KNEW THIS BECAUSE WE HAD HAD A CONVERSATION ABOUT THE BOOTS AND THE RIGHT SIZE TO ORDER, (MS.~~BARKER~~ OF HSU)STATED THAT THE ALJAN CO.DID NOT KNOW WHAT THEY WERE TALKING ABOUT AND ORDERED A SMALLER BOOT SIZE 11 ~~eee~~ WHEN THE ORTHOTICS ARE (size 12)

61. ON 11-18-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP ASKING

(NP.BOWENS) TO UP THE NORTRIPTYLINE TO (40mg) FOR IT WAS NOT WORKING AND I WAS IN CRAZY PAIN BOTH BACK AND FEET. THE RESPONSE CAME ON 11-19-2015 "CHECKED SCHEDULED TO BE SEEN IN HSU.

62. ON 11-26-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP INFORMING (NP.BOWENS) THAT THE MEDICATION WAS NOT WORKING, THE RESPONSE CAME ON 11-27-2015 "PROVIDER WROTE NEW ORDER FOR MEDICATION THEY WILL BE PROCESSED (7 TO 10 DAYS) A/P SCHEDULED.

63. ON 12-29-2015 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP ABOUT THE MEDICATION THE RESPONSE CAME 12-31-2015, "THIS MEDICATION WAS DISCONTINUED ON 11-20-2015.

64. ON 1-6-2016 THE PLAINTIFF PUT IN YET ANOTHER MEDICAL SLIP INFORMING (NP.BOWENS) OF THE PAIN, THE RESPONSE CAME ON 1-8-2016 "CHECKED SCHEDULED TO BE SEEN IN HSU."

65. ON 1-7-2016 THE PLAINTIFF PUT ANOTHER MEDICAL SLIP ABOUT SENDING ME OUT TO GET THE ORTHOTICS CUT TO FIT THE BOOTS, THIS IS A (2)YEAR PROBLEM NOW, THE RESPONSE CAME ON 1-8-2016 "YOU ARE SCHEDULED TO SEE THE ALJAN, PLEASE TELL THEM TO WRITE DOWN THE CORRECT SIZE, ONCE THIS INFORMATION IS RECEIVED WE CAN FORWARD THE INFORMATION TO CAPT:TESS TO CORRECT".

66. ON 1-19-2016 A OFF SITE SERVICE REQUEST AND REPORT-FOR REFIT ORTHOTICS, RECOMMENDATION, "MODIFIED ORTHOTICS TO FIT IN EXISTING HIGH TOP BOOTS REMEASURED PATIENT FACT:RIGHT =13 L=12& A HALF LENGTHS MAY BE ABLE TO STRECH EXISTING SHOES FOR RELIEF AT BUNIONS. ALAN BURKE 1-19-2016

67. ON 2-22-2016 THE PLAINTIFF PUT IN ANOTHER MEDICAL SLIP TO (NP.BOWENS) INFORMING HER THAT THE MEDICATION IS NOT WORKING, ON 2-26-2016 THE RESPONSE CAME, "SCHEDULED TO BE SEEN IN HSU".

68. I SEND A NOTE IN TO THE WARDEN FOR HELP, (JUDY P.SMITH) AFTER ASKING HER FOR (HELP) SHE INFORMED ME TO CONTINUE TO DEAL WITH HER (HSU) STAFF.

69. AFTER NO HELP WAS GIVEN FROM ANYONE I SEND OUT A FEW LETTERS, ONE WAS TO SECRETARY EDWARD WALL, WI SENATOR LENA TAYLOR, ON 4-4-2016 I RECEIVED A LETTER FROM ONE JON LITSCHER, INFORMING ME THAT HE HAD RECEIVED AS WELL AS REVIEWED MY CORRESPONDENCE POST MARKED 3-10-2016 PLEASE SEE FILE #L031001 FOR THE INFORMATION GIVEN.

70. ON 5-31-2016 THE PLAINTIFF WAS FINALLY APROVED FOR ALTERNATIVE STATE FOOTWEAR, BY SPECIAL NEEDS COMMITTEE, THE PLAINTIFF RECEIVED THE NOTICE ON (6-2-2016).

71. ON 6-10-2016 THE PLAINTIFF SEND A REQUEST TO (CAPT:TESS) INFORMING HIM THAT I HAD BEEN APROVED FOR ALTERNATIVE STATE FOOT WEAR, I WAS CALLED UP TO (MOS) TO SEE THIS CAPT:TESS, HIS WORDS AFTER WE TALKED "I HAVE NOTHING FOR YOU".

72. ON 6-3-2016 THE PLAINTIFF RECEIVED A RSPOSE FROM (SENATOR LENA TAYLOR) PLEASE ACKNOWLEDGE LETTER.

73. ON 6-14-2016 MET WITH CAPT:TESS, ABOUT SHOES AGAIN, HE INFORMED ME THAT ALL HE COULD DO WAS GET MORE BLACK VALCRO, HE STATED THAT HSU CAN DO WHATEVER THEY WANT, PUT IN MEDICAL SLIP AFTER THE MEETING WITH CAPT:TESS, 6-14-2016.

74. ON 9-1-2016 I PUT IN ANOTHER REQUEST TO HSU (DANEILLE FOSTER) INFORMING HER THAT IT HAD BEEN (2)MONTHS SINCE THE SHOES WAS TO BE ORDERED,WHAT HAPPENED.

75. ON 9-2-2016 THE RESPONSE CAME "YOUR SHOES HAVE BEEN ORDERED PLEASE FOLLOW UP WITH PROPERTY.

76. ON 9-7-2016 I SEND A REQUEST TO THE PROPERTY (SGT:THOMSON)THE RESPONSE CAME BACK , "SEND A KITE TO CAPT:KUSTER".

77. ON 9-10-2016 I PUT IN A REQUEST TO CAPT:KUSTER INFORMING HIM OF THE SITUATION WITH THE SHOES AND THAT I WAS SEND TO HIM,I SIMPLY NEVER RECEIVED A RESPONSE.

78. ON 9-16-2016 I PUT IN ANOTHER REQUEST TO HSU(DANEILLE FOSTER)INFORMING HER OF THE RUN A ROUND THAT I WAS RECEIVING AGAIN.I NEVER RECEIVED A RESPONSE.

79. ALL COMMUNICATION BETWEEN EVERY DEFENDANT AND PLAINTIFF WAS SENT TO(WARDEN:JUDY P.SMITH)FROM THE ORIGINAL MEDICAL INCIDENT WITH (OSCI HSU-STAFF IN6-2014)WARDEN SMITH WAS REPEATEDLY ASKED TO GET INVOLVED AND PREVENT HER STAFF FROM DOING ANY MORE FURTHER HARM TO THE PLAINTIFF BY DENYING HIM MEDICAL TREATMENT, SMITH WAS REMINDED THAT SHE HAD AN OBLIGATION UNDER (WIS.ADM.CODE 306.03 AND306.04)TO GIVE PROTECTION TO THIS PLAINTIFF FROM ALL HARM FROM HER STAFF MEMBERS, THE PLAINTIFF EVEN REQUESTED TO BE MOVED TO ANOTHER (INST)WHERE HIS NEEDS COULD BE CARED FOR, SMITH REFUSED TO MOVE PLAINTIFF AND HER RESPONSE WAS TO TAKE IT UP WITH HER (HSU-STAFF)THEREFORE WARDEN:SMITH)REFUSED TO PROVIDE PROTECTION TO THE PLAINTIFF, THAT MAKES HER ALSO LIABLE FOR THE HARM DONE TO THE PLAINTIFF BY HER STAFF.

80. AT ALL TIMES RELEVANT TO THE ISSUES AND CLAIMS IN THIS CASE,ALL DEFENDANTS ACTED UNDER COLOR OF LAW.

(A)FIRST CLAIM FOR RELIEF:

(DELIBERATE INDIFFERENCE)

AGAINST: NANCY BOWENS(NP)P.MURPHY(DOCTOR)

DANEILLE FOSTER(~~MANAGER~~)MS.~~Booker~~(~~ASSISTANT~~)

CAPT:TESS(SEC)JUDY P.SMITH(WARDEN)THERESA MURPHY(ICE)
ZANON(SEC).

81. THE PLAINTIFF JEFFREY D.BENSON REITERATES PARAGRAPHS 1 THRU 80 AS IF FULLY SET FORTH IN THIS PARAGRAPH. THE ACTIONS OR INACTIONS OF EACH NAMED DEFENDANTS VIOLATED THE (EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION,AS WELL AS THE FOURTEENTH AMENDMENT) DANEILLE FOSTER,MS. ARE DIRECTLY RESPONSIBLE FOR THE ACTIONS OR INACTIONS OF THE OSCI NURSES WORKING UNDER THEM.ALSO. THEY ARE RESPONSIBLE FOR PROTECTING ALL PRISONERS AT OSCI FROM HARMUNDER (DOC,ADM.CODE 306.03 AND 306.04. THE HIRING AND PROPER TRAINING OF NURSES & DOCTORS WORKING AT OSCI FALLS DIRECTLY IN (DANEILLE FOSTER & MS.~~Booker~~)LAP,AS HIRING AND SUPERVISING AUTHORITY LIKEWISE, DR.MURPHY & NANCY BOWENS ARE ALSO RESPONSIBLE FOR THEIR OWN ACTIONS AND MAKING CRITICAL DECISIONS CONCERNING PRISONERS MEDICAL NEEDS IN THEIR CARE, (DR.MURPHY & NANCY BOWENS IS RESPONSIBLE BASED ON THE CHAIN OF COMMAND INITIATED BY THE WARDEN JUDY P.SMITH. THEY CREATE A RULE OR RULES AND POLICY MAKING THEM THE RESPONSIBLE PARTIES FOR THE ACTIONS OF OTHERS WHEN THEY REQUIRED PRISONERS TO COME TO THEM FOR MEDICAL HELP OR SIMPLY HELP AGAINST STAFF BY FOLLOWING THE CHAIN OF COMMAND IN SEEKING (ASSISTANCE)"JUDY P.SMITH,MR.ZANON,DANEILLE FOSTER MS~~Booker~~,CAPT:TESS AND NANCY BOWENS, WHEN THEY ALL FAILED TO PROVIDE

THAT ASSISTANCE BY FAILING TO RECOGNIZE THEIR OWN POLICY THEY BECAME LIABLE DUE TO POLICY AND SUPERVISING POSITIONS...THERE EXISTED A SERIOUS MEDICAL NEED WHEN PLAINTIFF REQUESTED HE BE SEEN BY A DOCTOR, OR SEND OUT TO A HOSPITAL OR EVEN BE SEEN BY A PRISON DOCTOR, TO PREVENT ANY FURTHER DAMAGE TO THE PLAINTIFF FEET & BACK, THE CLAIMS AGAINST THE DEFENDANTS, NANCY BOWENS, DR.P.MURPHY, DANEILLE FOSTER, MS.~~BARKER~~. MR.ZANON, THERESA MURPHY, CAPT:TESS & JUDY P.SMITH, DEMONSTRATED A CLEAR CASE OF DELIBERATE INDIFFERENCE WHEN EACH OF THE DEFENDANTS IGNORED THE COMPLAINT OF THE PLAINTIFF. SEE(PARA 11 THRU 78)DEFENDANTS JUDY P.SMITH DR.P.MURPHY, DANEILLE FOSTER, MS.~~BARKER~~ CAPT:TESS, MR.ZANON & NANCY BOWENS ALL HAD THE AUTHORITY TO GET PLAINTIFF(HELP)AND ALL COULD HAVE INVESTIGATED WHAT WAS COMPLAINED ABOUT, CONCERNING MEDICAL NEEDS-NONE OF THEM ACTED IN A RESPONSIBLE MANNER TO PROTECT THE PLAINTIFF IN HIS TIME OF NEED DELIBERATE INDIFFERENCE IS CLEARLY SHOWN, ALL CLAIMS SHOW EITHER BOTH "ACTUAL INTENT OR RECKLESS DISREGARD", FOR A SERIOUS MEDICAL NEED.

(B) SECOND CLAIM FOR RELIEF
MEDICAL MALPRACTICE AND
MEDICAL NEGLIGENCE, AGAINST:
(NANCY BOWENS, DR.P.MURPHY, DANEILLE FOSTER & MS.~~BARKER~~)

82. THE PLAINTIFF JEFFREY D.BENSON REFER BACK TO PARAGRAPHS 11 THRU 78 AS IF FULLY SET FORTH IN THIS PARAGRAPH, THE ACTIONS BY (NANCY BOWENS, DR.P.MURPHY, DANEILLE FOSTER & MS.~~BARKER~~) WAS THE DIRECT CAUSE OF MANY PROBLEMS THAT LED TO THE (MAJOR)PROBLEMS, (NP.NANCY BOWENS) WAS INFORMING THE PLAINTIFF OF ONE THING AND ORDERING ANOTHER, AND (MS.~~BARKER~~) KNOWINGLY ORDERED A SMALLER SHOE, DR.P.MURPHY & DANEILLE FOSTER BOTH RECEIVED AS WELL AS OBTAINED KNOWLEDGE OF THE PROBLEM, ALL WAS IN A POSITION TO DO THE RIGHT THING, YET ALL REFUSED-AND REFUSING TO NOTIFY AND OR TREAT THE PLAINTIFF MEDICAL NEEDS, CONSTITUTE MEDICAL NEGLIGENCE AND MEDICAL MALPRACTICE, THE PLAINTIFF FEET & BACK WAS ALREADY IN BAD CONDITION, RECORDS SHOW THAT THEY GOT EVEN WORSE AFTER NOT BEING TREATED FOR (2) YEARS.

(C) THIRD CLAIM FOR RELIEF
DELAY IN PROVIDING MEDICAL
TREATMENT AND CONSPIRACY, AGAINST:
(NANCY BOWENS, DR.P.MURPHY, DANEILLE FOSTER,
CAPT:TESS, MR.ZANON, THERESA MURPHY, MS.~~BARKER~~
& JUDY P.SMITH.)

83. THE PLAINTIFF JEFFREY D.BENSON REITERATES ALL PARAGRAPHS FROM (1 THRU 78) AS IF FULLY SET FORTH IN THIS PARAGRAPH, THE ACTIONS OR INACTIONS OF EACH NAMED DEFENDANTS CREATED AN UNREASONABLE DELAY IN GETTING THE PLAINTIFF THE MUCH NEEDED MEDICAL (HELP). HAD EITHER OF THE DEFENDANTS ACTED IN A REASONABLE TIME, THERE WAS A GOOD CHANCE THE PLAINTIFF NEEDS WOULD HAVE BEEN SLOWED DOWN OR STOPPED, NOT TO THE POINT WHERE NOW THEY JEOPARDIES EFFECTING HIM FOR THE (REST OF HIS LIFE), LIKEWISE, ALL THE DEFENDANTS AS NAMED WILLFULLY PARTICIPATED IN A CONSPIRACY TO DELAY THE PLAINTIFF THE MEDICAL ATTENTION AS WELL AS TREATMENT HE NEEDED...A CLAIM OF MEDICAL DELAY AND CONSPIRACY IN THIS CASE STATES A CLAIM FOR CIVIL RIGHTS VIOLATIONS.

RELIEF REQUESTED

WHEREFORE THE PLAINTIFF JEFFREY D.BENSON, REQUEST RESPECTFULLY THAT THIS COURT ENTER JUDGMENT GRANTING THE FOLLOWING RELIEF.

A. A DEDARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED PLAINTIFFS RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES.

B. A PRELIMINARY AND PERMANANT INJUNCTION ORDERING THE DEFENDANTS(NANCY BOWENS,MS.J.BARKER,DANIELLE FOSTER,MR.J.ZANON,TERESA MURPHY,CAPT:TESS,DR P.MURPHY & JUDY P.SMITH)TO FOLLOW THE ORDERS FROM THE (PODIATRY & THE ALJAN)IN MADISON & STOP PUTTING MY MEDICAL ISSUES ON HOLD, TO GIVE ME MEDICATIONS THAT WILL (HELP)ME WITH THE PAIN & DISCOMFORT.

C. AWARD COMPENSATORY DAMAGES IN THE AMOUNT OF \$1.500,000 JOINTLY & SEVERALLY AGAINST DEFENDANTS NANCY BOWENS,DR.P.MURPHY,DANIELLE FOSTER,MS.J.BARKER,CAPT:TESS,MR.J.ZANON,TERESA MURPHY & JUDY P.SMITH,FOR PHYSICAL & EMOTIONAL INJURIES,PLAINTIFF JEFFREY D.BENSON HAS SUSTAINED AS A RESULT OF THE DEFENDENTS ACTIONS THAT HAS BEEN IDENTIFIED IN THIS COMPLAINT.

D. AWARD PUNITIVE DAMAGES IN THE AMOUNT OF \$50.000 EACH, AGAINST THE DEFENDANTS,NANCY BOWENS,DR.P.MURPHY,DANIELLE FOSTER, MS.J.BARKER,CAPT:TESS,MR.J.ZANON, TERESA MURPHY & JUDY P.SMITH.

E. A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.

F. PLAINTIFFS COSTS IN PROSECUTING THIS SUIT.

G. ANY ADDITIONAL RELIEF THIS COURT DEEMS JUST PROPER & EQUITABLE.

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY VERIFY THAT THE MATTERS ALLEGED HEREIN ARE (TRUE),EXCEPT AS TO MATTERS ALLEGED ON INFORMATION AND BELIEF,AND,AS TO THOSE,I BELIEVE THEM TO BE (TRUE).

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE & CORRECT.

Cc:

EXECUTED AT OSCI ON
NOVEMBER-21-2016

MR.JEFFREY D.BENSON

103902

C. JURISDICTION

I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

A. A declaration that the acts and omissions described herein violated plaintiffs Rights under the constitution and laws of the United States.

B. A Preliminary and permanent injunction ordering the defendants "Nancy Brewens, Mrs. J. Boeker, Danielle Foster, Mrs. J. Zanon, Theresa Murphy, Capt. Tess, Dr. P. Murphy & Judy P. Smith" to follow the orders from the Plaintiff & the ALIM in Madison & stop getting my medical issues on hold, to give me medications that will help me with the pain & discomfort. Please see additional page (II) for ^{other} relief C, D, E, F, G

E. JURY DEMAND

Jury Demand – I want a jury to hear my case.

OR

Court Trial – I want a judge to hear my case.

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 21 day of Nov 2016.

Respectfully Submitted,


Signature of Plaintiff

103902

Plaintiff's Prisoner ID Number

OshKosh CORP INST

P.O. Box 330 OshKosh, WI, 54903

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.